

Exhibit A

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

MLB CONSULTING, LLC

Plaintiff,

v.

**SUNDANCE ENERGY, INC. D/B/A SEA
EAGLE FORD, LLC AND MESA
SOUTHERN WELL SERVICING, LP,**

Defendants.

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CIVIL ACTION NO. 2:17-CV-0169

INDEX OF MATERIALS ATTACHED TO NOTICE OF REMOVAL

No.	Date Filed or Entered	Document
A-1	N/A	List of Counsel of Record
A-2	N/A	State Court Docket Sheet
A-3	03/08/2017	Plaintiff's Original Petition, Requests for Disclosure & Jury Demand
A-4	04/21/2017	Citation and Return of Service – Mesa Southern Well Servicing, LP
A-5	04/24/2017	Citation and Return of Service – Sundance Energy, Inc.
A-6	05/04/2017	Original Answer of Defendant Mesa Well Servicing, LP and Verified Denial
A-7	05/17/2017	Defendant Sundance Energy, Inc.'s Original Answer
A-8	05/24/2014	Certificate of Merger – Mesa Well Servicing, LP
A-9	05/18/2017	Defendant Mesa Southern Well Servicing, LP's Consent to Removal

Exhibit A-1

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

MLB CONSULTING, LLC

Plaintiff,

v.

**SUNDANCE ENERGY, INC. D/B/A SEA
EAGLE FORD, LLC AND MESA
SOUTHERN WELL SERVICING, LP,**

Defendants.

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CIVIL ACTION NO. 2:17-CV-0169

LIST OF COUNSEL OF RECORD

Counsel for Plaintiff:

MLB Consulting, LLC

Fred L. Shuchart
State Bar No. 18316250
COOPER & SCULLY, P.C.
815 Walker Street, Suite 1040
Houston, Texas 77002
Telephone: (713) 236-6800
Facsimile: (713) 236-6880
fred@cooperscully.com

Counsel for Defendant:

Sundance Energy, Inc.

James H. Moody, III, Attorney-in-Charge
Texas Bar No. 14307400
S.D. Bar No. 17723
**QUILLING, SELANDER, LOWNDS,
WINSLETT & MOSER, P.C.**
2001 Bryan Street, Suite 1800
Dallas, Texas 75201
(214) 871-2100 (Telephone)
(214) 871-2111 (Facsimile)
hmoody@qslwm.com

Counsel for Defendant:

Mesa Southern Well Servicing, LP

Brian L. Blakeley
State Bar No. 029428900
BLAKELEY LAW FIRM
503 Avenue A, Suite 1121
San Antonio, Texas 78215
(210) 860-1438 (Telephone)
brian@blakeleylawfirm.com

Exhibit A-2



[\[All\]](#) | [Motions](#) | [Orders](#) | [Answers / Citations](#) | [Other Documents / Actions](#) | [Costs](#) | [Payments](#) | [Ledger](#)

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Civil Docket; Case 17-03-56979-CV; Accounts, Contracts, Notes

MLB CONSULTING, LLC vs SUNDANCE ENERGY, INC. D/B/A SEA EAGLE FORD, LLC AND MESA SOUTHERN WELLS SERVICING, LP

Filed 03/08/2017 - Disposition:

79th District Court, District Clerk, Jim Wells County, [Texas](#)

[Help](#)

[View Document Images](#)

Date	Description/Comments	Reference	Typ	Amount
03/08/2017	Weigang - Plaintiff's Original Petition - EFiled on 03/08/2017 11:52 AM. Submitted by: Fred Shuchart (fred.shuchart@cooperscully.com); Comments: JURY FEE FOUND IN THIS ORIGINAL PETITION		TXT	
03/13/2017	Weigang-Request for Citations - EFiled on 03/13/2017 11:39 AM. Submitted by: Fred Shuchart (fred.shuchart@cooperscully.com); Comments:		"	
03/22/2017	CITATION ISSUED TO MESA SOUTHERN WELLSERVICING, LP BY SERVING REGISTERED AGENT, JAMES FINLEY/DELIVER TO ATTORNEY (MAILED)		"	
03/22/2017	CITATION ISSUED TO SUNDANCE ENERGY, INC. d/b/a SEA EAGLE FORD, LLC/DELIVER BY CERTIFIED MAIL #7016-0910-0001-6327-5350		"	
03/24/2017	CIT CERT MAIL RETURN RECEIPT RECEIVED-SUNDANCE ENERGY INC DBA SEA EAGLE FORD LLC SRVD 3-24-2017		"	
04/05/2017	Weigang - Ltr Clerk re Citation - EFiled on 04/05/2017 4:41 PM. Submitted by: Fred Shuchart (fred.shuchart@cooperscully.com); Comments: //LETTER REQUESTING CITATION		"	
04/10/2017	CITATION ISSUED TO SUNDANCE ENERGY, INC. d/b/a SEA EAGLE FORD, LLC/DELIVER TO ATTORNEY (MAILED)		"	
04/17/2017	Return of Service - Mesa Southern Well Servicing - EFiled on 04/21/2017 4:28 PM. Submitted by: Fred Shuchart (fred.shuchart@cooperscully.com); Comments: //CIT RETURN-MESA SOUTHERN WELL SERVICING LP SRVD 4-17-2017		"	
04/18/2017	Return of Service - Sundance - EFiled on 04/24/2017 1:37 PM. Submitted by: Fred Shuchart (fred.shuchart@cooperscully.com);		"	

	Comments: //CIT RETURN AND AFFIDAVIT-SUANCANCE ENERGY INC DBA SEA EAGLE FORD LLC SRVD 4-18-2017			
05/04/2017	Mesa Original Answer - EFiled on 05/04/2017 6:29 PM. Submitted by: Brian Blakeley (brian@blakeleylawfirm.com); Comments:		"	
05/17/2017	Original Answer (General Denial - HM Version) - EFiled on 05/17/2017 10:08 AM. Submitted by: Shannon Wright (swright@qslwm.com); Comments:		"	

[Search](#) | [Case History](#) | [Parties](#) | [Attorneys](#)[\[Return to Top \]](#)[All](#) | [Motions](#) | [Orders](#) | [Answers / Citations](#) | [Other Documents / Actions](#) | [Costs](#) | [Payments](#) | [Ledger](#)

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User ID: JENNIFERLHUSBAN
Viewed as of: May 18, 2017, time: 06:54:25

Exhibit A-3

CERTIFIED

CAUSE NO. 17-03-56979-CV

MLB CONSULTING, LLC	§	IN THE DISTRICT COURT
PLAINTIFF,	§	
	§	
VS.	§	_____ JUDICIAL DISTRICT
	§	
SUNDANCE ENERGY, INC. D/B/A SEA	§	
EAGLE FORD, LLC AND MESA	§	
SOUTHERN WELL SERVICING, LP,	§	
	§	
DEFENDANTS.	§	OF JIM WELLS COUNTY, TEXAS

**PLAINTIFF'S ORIGINAL PETITION,
REQUESTS FOR DISCLOSURE & JURY DEMAND**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW MLB CONSULTING, LLC ("MLB"), Plaintiff in the above numbered cause, and files this Original Petition against Defendants SUNDANCE ENERGY, INC. d/b/a SEA EAGLE FORD, LLC ("Sundance") and MESA SOUTHERN WELL SERVICING, LP ("Mesa"), stating as follows:

**I.
DISCOVERY LEVEL**

1. Plaintiff pleads that discovery should be conducted under Level 3.

**II.
PARTIES**

2. Plaintiff MLB is an Oklahoma limited liability corporation with its principle place of business in Elk City, Oklahoma. The real plaintiff in interest is National American Insurance Company who is bringing this suit in the name of its insured, MLB Consulting, LLC. National American Insurance Company is an Oklahoma corporation with its principle place of business in Chandler, Oklahoma.

3. Defendant Sundance is a Texas corporation with its principle place of business in Dallas, Texas. It may be served by serving its registered agent:

CT Corporation System
1999 Bryan Street
Suite 1900
Dallas, Texas 75201

4. Defendant Mesa is a Texas corporation with its principle place of business in Jourdanton, Texas. It may be served by serving its registered agent:

James Finley
1308 Lake Street
Fort Worth, Texas 76102

III.
JURISDICTION & VENUE

5. This Court has subject matter jurisdiction of this cause and jurisdiction to grant all of the relief Plaintiff requests.

6. The amount in controversy is within the jurisdictional limits of this Court.

7. This Court has jurisdiction over Defendants because Defendants have purposefully availed themselves of the privileges and benefits of conducting business in Texas.

8. Venue is proper in Jim Wells County because the events giving rise to the cause of action occurred in Jim Wells, County.

IV.
BACKGROUND FACTS

9. On April 18, 2013, Sundance and MLB entered into a Master Service Agreement ("MLB-Sundance MSA") which contains the following provision:

INDEMNITY

Company[Sundance] agrees to protect, defend, indemnify and hold harmless Contractor[MLB] ... from and against all claims, demands, and causes of action ...without limit and without regard to the cause ... arising in connection herewith in favor of Company, its customers, other contractors or their respective employees

10. On October 15, 2013, Sundance and Mesa entered into a Master Service Agreement ("Mesa-Sundance MSA") which contains the following provision:

INDEMNITY

Contractor[Mesa] agrees to protect, defend, indemnify and hold harmless Company, its contractors ... from and against all claims, demands, and causes of action ... without limit and without regard to the cause ... arising in connection herewith in favor of Contractor, ... or their respective employees

11. Glen Weigang and Abel Pena, employees of Mesa, were injured while working on a project owned and/or run by Sundance. As a result, Weigang and Pena brought suit against Sundance, Mesa and MLB, among others, styled *Melissa Weigang, et. al, Plaintiffs and Abel Pena, Intervenor v. South Texas Oilfield Solutions, LLC, et. al.*; Cause No. 14-12-54002-CV; In the 79th Judicial District Court of Jim Wells County, Texas ("Underlying Lawsuit").

12. Pursuant to the MLB-Sundance MSA, Sundance owes MLB a defense and indemnification from the allegations against it contained in the Underlying Lawsuit.

13. Pursuant to the Mesa-Sundance MSA, Mesa owes MLB a defense and indemnification from the allegations against it contained in the Underlying Lawsuit.

14. MLB tendered its defense and indemnification to Sundance and Sundance refused and continues to refuse to provide MLB a defense and indemnification.

15. MLB tendered its defense and indemnification to Mesa and Mesa refused and continues to refuse to provide MLB a defense and indemnification.

16. As a result, MLB, through its carrier National American Insurance Company, was forced to incur and pay the sum of \$203,303.54 in reasonable, necessary and customary attorney fees and expenses to defend the allegations against it in the Underlying Lawsuit.

17. MLB has been forced to retain the services of the undersigned to pursue its claim asserted herein and will be forced to incur reasonable, necessary and customary attorney fees and expenses to pursue this action.

V.
CAUSE OF ACTION

18. MLB incorporates by reference and re-alleges the allegations contained in paragraphs 1-17, inclusive herein.

19. As set forth above, Sundance breached the MLB-Sundance MSA by failing to defend and indemnify MLB from the allegations against it in the Underlying Lawsuit.

20. As set forth above, Mesa breached the Mesa-Sundance MSA by failing to defend and indemnify MLB from the allegations against it in the Underlying Lawsuit.

21. As a direct and proximate result of Sundance's breach of the MLB-Sundance MSA, MLB has suffered damages in an amount no less than \$203,303.54.

22. As a direct and proximate result of Mesa's breach of the Mesa-Sundance MSA, MLB has suffered damages in an amount of no less than \$203,303.54.

23. MLB has and will continue to incur reasonable, necessary and customary attorney fees and expenses to pursue this action and is entitled to recover same pursuant to TEXAS CIVIL PRACTICE AND REMEDIES CODE § 38.001, et seq.

24. All conditions precedent to recovery have been met.

VI.
REQUESTS FOR DISCLOSURE

Under Rule 194 of the TEXAS RULES OF CIVIL PROCEDURE, Defendant is requested to disclose, within fifty (50) days of service of this Petition and this request, the information or material described in TEX. R. CIV. P. 194.2(a)-(k).

V.
JURY DEMAND

Plaintiff requests a trial by jury and tenders the required fee with the filing of this petition.

VIII.
PRAYER

WHEREFORE PREMISES CONSIDERED, Plaintiff MLB CONSULTING, LLC respectfully prays that Defendants SUNDANCE ENERGY, INC. d/b/a SEA EAGLE FORD, LLC and MESA SOUTHERN WELL SERVICING, LP be cited to appear, that upon trial, MLB be awarded the sum of no less than \$203,303.54 plus its reasonable, necessary and customary attorney fees and expenses incurred herein along with pre and post judgment interest and for such other and further relief to which it is justly entitled.

Respectfully submitted,

By: /s/ Fred Shuchart
FRED L. SHUCHART
SBN 18316250

COOPER & SCULLY, P.C.
815 Walker St., Suite 1040
Houston Texas 77002
(713) 236-6800
(713) 236-6880 fax
Fred@cooperscully.com
ATTORNEYS FOR PLAINTIFF

STATE OF TEXAS
COUNTY OF JIM WELLS

I, R. David Guerrero District Clerk of Jim Wells County, Texas do hereby certify that the foregoing is a true and correct copy of the original record, now in my lawful custody and possession, filed on March 8, 2017 as appears on file in my office.

Witness my official hand and seal of office, this

April 10, 2017
R. DAVID GUERRERO, District Clerk
Jim Wells County, Texas

By: Juan Ramirez Deputy



Exhibit A-4

CITATION – Personal Service

THE STATE OF TEXAS

COUNTY OF JIM WELLS

CAUSE NO. 17-03-56979-CV

TO: MESA SOUTHERN WELL SERVICING, LP BY SERVING ITS REGISTERED AGENT, JAMES FINLEY, 1308 LAKE STREET, FORT WORTH, TEXAS 76102

(or wherever he/she may be found) Notice to DEFENDANT : You have been sued. You may employ an attorney. If you, or your attorney, do not file a written answer with the clerk who issued this citation by 10:00 A.M. on the first Monday following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you.

Court:	79TH Judicial District Court, Alice, Jim Wells, Texas
Cause No.:	17-03-56979-CV
Date of Filing:	MARCH 8, 2017
Document:	PLAINTIFF'S ORIGINAL PETITION, REQUESTS FOR DISCLOSURE & JURY DEMAND
Parties in Suit:	MLB CONSULTANT, LLC VS SUNDANCE ENERGY, INC., D/B/A SEA EAGLE FORD, LLC AND MESA SOUTHERN WELL SERVICING, LP
Clerk:	R. David Guerrero, District Clerk, 200 N. Almond St., Ste. 207/P.O. Drawer 2219 Alice, TX 78333
Party or Party's Attorney:	FRED L. SHUCHART, ATTORNEY, 815 WALKER ST., STE. 1040, HOUSTON, TEXAS 77002

Issued under my hand and seal of this court on this the 22 day of MARCH, 20 17.

R. David Guerrero, District Clerk
Jim Wells County, Texas



Service Return

JUANA P. RAMIREZ

Deputy

Came to hand on the 30th day of March, 20 17, at 2:50 pm., and executed on the 17th day of April, 20 17, at 12:00 pm. by delivering to the within named James Finley, Registered Agent Certified Registered Mail in person a true copy of this citation, with attached copy(ies) of the Mesa Southern Well Servicing, LP at 1308 Lake Street, Fort Worth, Texas 76102

☐ Not executed. The diligence use in finding DEFENDANT being _____

☐ Information received as to the whereabouts of DEFENDANT being _____

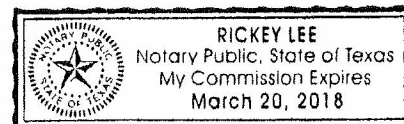
Service Fee: \$		Sheriff/Constable
	Tarrant	County, Texas
Service ID No.	SOH # 4016 Exp 6/30/17	Deputy/Authorized Person
	Shelia Lee	

On this day personally appeared Shelia Lee known to me to be the person whose name is subscribed on the foregoing instrument and who has stated: upon penalty of perjury, I attest that the foregoing instrument has been executed by me in this cause pursuant to the Texas Rules of Civil Procedure. I am over the age of eighteen years and I am not a party to or interested in the outcome of this suit, and have been authorized by the Jim Wells County Courts to serve process.

Subscribed and sworn to before me on this the 19th day of April, 20 17

Notary Public

** Service by Rule 106 TRC if directed by attached Court Order



SEMINARY HILL
1001 ALAMEA BLVD
FORT WORTH
TX

76134-3411
462330115
(800) 275-6111

04-17-2017 4:12 PM

Product Description	Sale Qty	Final Price
First-Class Mail Letter	1	\$0.70

First-Class Mail Letter

(Domestic)
FORT WORTH, TX 76102
(Weight: 0.15 1 10.02)
(Expected Delivery Day)
(Wednesday 04/19/2017)

Certified
(USPS Certified Mail #)
(7010756000000557459)
1 \$3.35

Return Receipt
(USPS Return Receipt #)
(950094022523000847484)
1 \$2.75

Total \$6.80

Debit Card Remit'd \$6.80
(Card Name: Public Card)
(Account #: XXXXXXXXXX89341)
(Approval #)
(Transaction #: 0070)
(Receipt #: 009423)
(Debit Card Purchase: \$6.80)
(Cash Back: \$0.00)

BRIGHTEN SOMEONE'S MAILBOX. Greeting cards available for purchase at select Post Offices.

Text your tracking number to 2077 (USPS) to get the latest status. Standard Message and Data rates may apply. You may also visit usps.com USPS tracking or call 1-800-222-1811.

Order stamps at usps.com/shop or call 1-800-Stamp24. Go to usps.com/ClicknShip to print shipping labels with postage. For other information call 1-800-ASK-USPS.

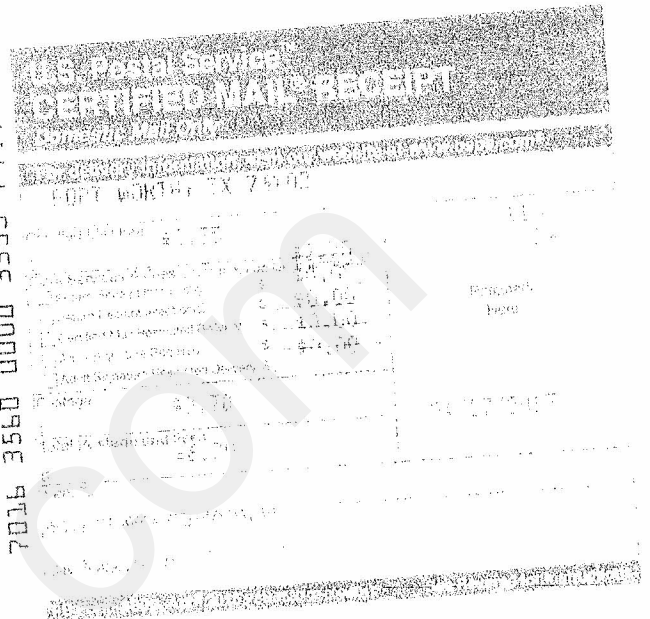
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HELP US SERVE YOU BETTER

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7016 3560 0000 3355 7999



Total \$6.80

Debit Card Remit'd \$6.80
 (Card Name: Debit Card)
 (Account #: XXXXXXXXXXXX9841)
 (Approval #:
 (Transaction #: 970)
 (Receipt #: 009423)
 (Debit Card Purchase: \$6.80)
 (Cash Back: \$0.00)

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 cards available for purchase at select
 Post Offices.

Text your tracking number to 28777
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 apply. You may also visit USPS.com
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Order stamps at usps.com/shop or call
 1-800-Stamp24. Go to
 usps.com/clicknship to print shipping
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 Get your mail when and where you want
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 840-5760-0638-001-00010-41650-02

or scan this code with
 your mobile device:



or call 1-800-410-7420.

YOUR OPINION COUNTS

Bill #: 840-57600638-1-1041650-2
 Clerk: 24

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

FORT WORTH TX 76102

0115
24

Certified Mail Fee \$3.35

Extra Services & Fees (check box, add fee \$ appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$2.75
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.70

Total Postage and Fees \$6.80

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Street and Apt. No., or PO Box No.

City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Postmark Here

04/17/2017

Exhibit A-5

ORIGINAL**CITATION – Personal Service**

THE STATE OF TEXAS

COUNTY OF JIM WELLS

CAUSE NO. 17-03-56979-CV

TO: SUNDANCE ENERGY, INC. d/b/a SEA EAGLE FORD, LLC BY AND THROUGH ITS REGISTERED AGENT, CATHY ANDERSON, 633 17TH ST., STE. 1950, DENVER, COLORADO 80202

(or wherever he/she may be found) Notice to DEFENDANT : You have been sued. You may employ an attorney. If you, or your attorney, do not file a written answer with the clerk who issued this citation by 10:00 A.M. on the first Monday following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you.

Court:	79TH Judicial District Court, Alice, Jim Wells, Texas
Cause No.:	17-03-56979-CV
Date of Filing:	MARCH 8, 2017
Document:	PLAINTIFF'S ORIGINAL PETITION , REQUESTS FOR DISCLOSURE AND JURY DEMAND
Parties in Suit:	MLB CONSULTING, LLC VS SUNDANCE ENERGY, INC. D/B/A SEA EAGLE FORD, LLC AND MESA SOUTHERN WELL SERVICING, LP
Clerk:	R. David Guerrero, District Clerk, 200 N. Almond St., Ste. 207/P.O. Drawer 2219 Alice, TX 78333
Party or Party's Attorney:	FRED L. SCHUCHART, ATTORNEY, 815 WALKER ST., STE. 1040, HOUSTON, TX. 77002

Issued under my hand and seal of this said court on this the 10 day of APRIL, 2017.

R. David Guerrero, District Clerk
Jim Wells County, Texas



Service Return

JUANA P. RAMIREZ

Deputy

Came to hand on the _____ day of _____, 20____, at _____ m., and executed on the _____ day of _____, 20____, at _____ M by delivering to the within named

_____ in person a true copy of this citation, with attached copy(ies) of the _____ at _____

☐ Not executed. The diligence use in finding DEFENDANT being _____

☐ Information received as to the whereabouts of DEFENDANT being _____

Service Fee: \$	Sheriff/Constable
	County, Texas
Service ID No.	Deputy/Authorized Person

VERIFICATION

On this day personally appeared _____, known to me to be the person whose name is subscribed on the foregoing instrument and who has stated: upon penalty of perjury, I attest that the foregoing instrument has been executed by me in this cause pursuant to the Texas Rules of Civil Procedure. I am over the age of eighteen years and I am not a party to or interested in the outcome of this suit, and have been authorized by the Jim Wells County Courts to serve process.

Subscribed and sworn to before me on this the _____ day of _____, 20____.

Notary Public

** Service by Rule 106 TRC If directed by attached Court Order

POSTED

VERIFIED RETURN OF SERVICE

State of Texas

County of Jim Wells

District Court

Case Number: 17-03-56979-CV

Plaintiff:
MLB CONSULTING, LLC

vs.

Defendant:
**SUNDANCE ENERGY, INC D/B/A
SEA EAGLE FORD, LLC AND
MESA SOUTHTNER WELL SERVICING, LP**

For:
Fred L. Shuchart
Cooper & Scully P.C.
815 Walker Street, Suite 1040
Houston, TX 77002

Received by Roland Process Svc & Investigations, LLC on the 18th day of April, 2017 at 10:55 am to be served on **SUNDANCE ENERGY, INC D/B/A SEA EAGLE FOOD, LLC, 633 17TH S STE 1950, DENVER, CO 80202.**

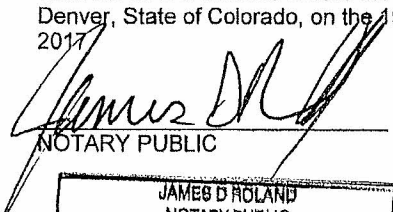
I, Harry Scott Ferron, being duly sworn, depose and say that on the **18th day of April, 2017 at 11:49 pm, I:**

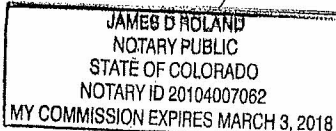
served a **REGISTERED AGENT** by delivering a true copy of the **CITATION, CITATION and PLAINTIFF'S ORIGINAL PETITION, REQUEST FOR DISCLOSURE AND JURY DEMAND** with the date and hour of service endorsed thereon by me, to: **CATHY ANDERSON** as **Registered Agent** at the address of: **633 17TH S STE 1950, DENVER, CO 80202** on behalf of **SUNDANCE ENERGY, INC D/B/A SEA EAGLE FOOD, LLC**, and informed said person of the contents therein, in compliance with state statutes.

Description of Person Served: Age: 65, Sex: F, Race/Skin Color: CAUCASIAN, Height: 5'5", Weight: 150, Hair: GREY, Glasses: Y

I certify that I am over the age of 18, have no interest in the above action, and am a Process Server, in good standing, in the judicial circuit in which the process was served. I declare under penalty of perjury under the laws of the state in which the process was served that the foregoing is true and correct.

Subscribed and affirmed before me in the County of
Denver, State of Colorado, on the 19th day of April,
2017.


NOTARY PUBLIC




Harry Scott Ferron

**Roland Process Svc & Investigations, LLC
1660 S Albion Street, Suite 204
Denver, CO 80222
(720) 382-1882**

Our Job Serial Number: JDR-2017004814
Service Fee: \$65.00

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SERVE PERSONALLY**Roland Process Svc & Investigations, LLC****Priority: STANDARD****Field Sheet #2017004814**Received: 4/18/2017 at 10:55 am
Court Date: Filed:**SERVE PERSONALLY****SERVE:****Work: (PERSONAL DAY SERVE) SUNDANCE ENERGY, INC D/B/A SEA EAGLE FOOD, LLC C/ O R/A CATHY ANDERSON, 633 17TH S STE 1950, DENVER, CO 80202****SPECIAL INSTRUCTIONS:** Writ expires 4/25/2017. Last Day to Serve 4/25/2017. >>PERSONAL SERVE ON CATHY ANDERSON, TEXAS FILE, NO SERVICE ON SUNDAY<<

Attempts	Date	Time	Server: Harry Scott Ferron	Comments
1.	/			
2.	/			
3.	/			
4.	/			
5.	/			
6.	/			
7.	/			
8.	/			

Actual Service Info

4/18/17 Type: FLS Married? ☐ Military? ☐
 Served on: Cathy Anderson As: Same Miles
 Address: Hours
 Comments: N/A Additional Addr: 1 2 3
 Courier
 Out of Pocket Costs

Age 65 Sex M Race Cauc Height 5'5" Weight 150 Hair Grey Glasses Y

Case Number: 17-03-56979-CV Jim Wells District
 Plaintiff
 MLB CONSULTING, LLC

Defendant
 SUNDANCE ENERGY, INC D/B/A SEA E

Type of Writ: CITATION, CITATION and PLAINTIFF'S ORIGINAL PETITION, REQUEST FOR DISCLOSURE AND JURY DEMAND

Client: Fred L. Shuchart
 Firm: Cooper & Scully P.C.
 Contact: Rhodes, Angela
 Phone: (713) 236-6800 Fax: (713) 236-6880
 Client Reference Number:

I acknowledge receipt of the above documents

x Cathy Anderson
 SIGNATURE OF RECIPIENT

 PROCESS SERVER'S SIGNATURE

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SERVE PERSONALLY

Exhibit A-6

Cause Number 17-03-56979-CVMLB CONSULTING , LLC
PLAINTIFF

V.

SUNDANCE ENERGY, INC
AND
MESA SOUTHERN WELL SERVICING,
LP
DEFENDANTS§
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§IN THE

79TH DISTRICT COURT

OF

JIM WELLS COUNTY, TEXAS**ORIGINAL ANSWER OF DEFENDANT MESA WELL SERVICING, LP
AND VERIFIED DENIAL**

Now Comes Defendant Mesa Southern Well Servicing, LP files its Original Answer in this cause. Defendant would respectfully show the court the following:

I.**GENERAL DENIAL**

Defendant generally denies each and every allegation contained in Plaintiff's Original Petition and demands strict proof thereof.

II.**VERIFIED DENIAL
NO CAPACITY TO BE SUED**

Defendant expressly and specifically denies that it has the capacity to be sued. Defendant does not have the capacity to be sued because it is not a legal entity and does not exist. On May 22, 2014, Mesa Southern Well Servicing, LP, a Texas limited partnership, was merged with Mesa Southern CWS Acquisition, LP, a Texas limited partnership, and did not survive the merger.

WHEREFORE, PREMISES CONSIDERED, Defendant respectfully prays that it be dismissed as a party to this action and in the alternative, that judgment be rendered in its favor on all issues.

Respectfully Submitted,



Brian L. Blakeley
State Bar No. 029428900

BLAKELEY LAW FIRM

503 Avenue A, Suite 1121

San Antonio, Texas 78215

Tel: 210.860.1438

brian@blakeleylawfirm.com

**ATTORNEYS FOR DEFENDANT MESA
WELL SERVICING, LP.**

CERTIFICATE OF SERVICE

On the 4th day of May 2017, the foregoing instrument was served on the individuals identified below by the means indicated:



Brian L. Blakeley

Mr. Fred Shuchart
COOPER & SCULLY, P.C.
815 Walker St., Suite 1040
Houston, Texas
(713) 236-6880 fax
Fred@cooperscully.com
ATTORNEYS FOR PLAINTIFF

**Electronically Via the Court's Electronic
Filing Manager**

VERIFICATION

STATE OF TEXAS

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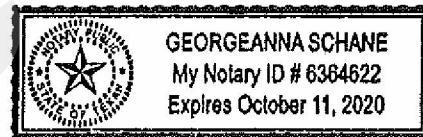
COUNTY OF ATASCOSA

On this day, Alan Claiborne appeared before me, the undersigned notary, and, after being duly sworn by me, stated that he has read the foregoing Original Answer and Verified Denial and that the factual allegations stated therein are within his personal knowledge and true and correct.


ALAN CLAIBORNE

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 4th DAY OF MAY, 2017.


NOTARY PUBLIC, STATE OF TEXAS



Cause Number 17-03-56979-CV

MLB CONSULTING , LLC
PLAINTIFF

V.

SUNDANCE ENERGY, INC
AND
MESA SOUTHERN WELL SERVICING,
LP
DEFENDANTS

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IN THE

79TH DISTRICT COURT

OF

JIM WELLS COUNTY, TEXAS

**ORIGINAL ANSWER OF DEFENDANT MESA WELL SERVICING, LP
AND VERIFIED DENIAL**

Now Comes Defendant Mesa Southern Well Servicing, LP files its Original Answer in this cause. Defendant would respectfully show the court the following:

I.

GENERAL DENIAL

Defendant generally denies each and every allegation contained in Plaintiff's Original Petition and demands strict proof thereof.

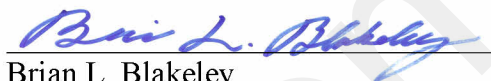
II.

**VERIFIED DENIAL
NO CAPACITY TO BE SUED**

Defendant expressly and specifically denies that it has the capacity to be sued. Defendant does not have the capacity to be sued because it is not a legal entity and does not exist. On May 22, 2014, Mesa Southern Well Servicing, LP, a Texas limited partnership, was merged with Mesa Southern CWS Acquisition, LP, a Texas limited partnership, and did not survive the merger.

WHEREFORE, PREMISES CONSIDERED, Defendant respectfully prays that it be dismissed as a party to this action and in the alternative, that judgment be rendered in its favor on all issues.

Respectfully Submitted,



Brian L. Blakeley
State Bar No. 029428900

BLAKELEY LAW FIRM

503 Avenue A, Suite 1121

San Antonio, Texas 78215

Tel: 210.860.1438

brian@blakeleylawfirm.com

**ATTORNEYS FOR DEFENDANT MESA
WELL SERVICING, LP.**

CERTIFICATE OF SERVICE

On the 4th day of May 2017, the foregoing instrument was served on the individuals identified below by the means indicated:



Brian L. Blakeley

Mr. Fred Shuchart
COOPER & SCULLY, P.C.
815 Walker St., Suite 1040
Houston, Texas
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ATTORNEYS FOR PLAINTIFF

**Electronically Via the Court's Electronic
Filing Manager**

VERIFICATION

STATE OF TEXAS

§
§
§

COUNTY OF ATASCOSA

On this day, Alan Claiborne appeared before me, the undersigned notary, and, after being duly sworn by me, stated that he has read the foregoing Original Answer and Verified Denial and that the factual allegations stated therein are within his personal knowledge and true and correct.


ALAN CLAIBORNE

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 4th DAY OF MAY, 2017.


NOTARY PUBLIC, STATE OF TEXAS

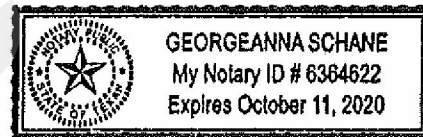


Exhibit A-7

CAUSE NO. 17-03-5697-CV**MLB CONSULTING, LLC,****Plaintiff,****vs.****SUNDANCE ENERGY, INC. D/B/A SEA
EAGLE FORD, LLC AND MESA
SOUTHERN WELL SERVICING, LP,****Defendants.**§
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§**IN THE DISTRICT COURT****79th JUDICIAL DISTRICT****JIM WELLS COUNTY, TEXAS****DEFENDANT SUNDANCE ENERGY, INC.'S
ORIGINAL ANSWER**

COMES NOW, Sundance Energy, Inc. ("Sundance" or "Defendant"), Defendant in the above entitled and numbered cause, and files this, its Original Answer, and for such would respectfully show the Court as follows:

I.

Defendant denies all and singular the allegations contained in Plaintiff's Original Petition and demands strict proof thereof.

II.

Defendant denies that it has ever done business as SEA Eagle Ford, LLC, and says SEA Eagle Ford is a separate legal entity.

III.

Defendant says that it is an insured under National American Insurance Company's policy issued to MLB, and Defendant's indemnity obligation, if any, is only excess of the coverage available under the National American Policy.

IV.

Defendant says National American has no right of subrogation against its own insured.

WHEREFORE, PREMISES CONSIDERED, Sundance Energy, Inc. prays that Plaintiff take nothing by this suit, and that Defendant go hence and recover costs in its behalf expended.

Respectfully submitted,

/s/ James H. Moody, III

JAMES H. MOODY, III
Texas Bar No. 14307400
hmoody@qslwm.com

**QUILLING, SELANDER, LOWNDS,
WINSLETT & MOSER, P.C.**
2001 Bryan Street, Suite 1800
Dallas, Texas 75201
(214) 871-2100 (Telephone)
(214) 871-2111 (Telecopy)

**ATTORNEY FOR DEFENDANT
SUNDANCE ENERGY, INC.**

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of this instrument has been furnished to all counsel in the manner designated below, in accordance with the Texas Rules of Civil Procedure, on this 17th day of May, 2017.

Fred L. Shuchart
COOPER & SCULLY, P.C.
815 Walker Street, Suite 1040
Houston, Texas 77002

Via Facsimile No. (713) 236-6800

Brian L. Blakeley
Blakeley Law Firm
503 Avenue A, Suite 1121
San Antonio, Texas 78215

Via E-mail: brian@blakeleylawfirm.com

/s/ James H. Moody, III
JAMES H. MOODY, III

Exhibit A-8

Form 622
(Revised 05/11)
 Return in duplicate to:
 Secretary of State
 P.O. Box 13697
 Austin, TX 78711-3697
 512 463-5555
 FAX: 512 463-5709
Filing Fee: see instructions



**Certificate of Merger
 Combination Merger
 Business Organizations Code**

This space reserved for office use.

FILED
 In the Office of the
 Secretary of State of Texas

MAY 22 2014

Corporations Section

Parties to the Merger

Pursuant to chapter 10 of the Texas Business Organizations Code, and the title applicable to each domestic filing entity identified below, the undersigned parties submit this certificate of merger.

The name, organizational form, state of incorporation or organization, and file number, if any, issued by the secretary of state for each organization that is a party to the merger are as follows:

Party 1

Mesa Southern Well Servicing, LP

Name of Organization

The organization is a limited partnership It is organized under the laws of

Specify organizational form (e.g., for-profit corporation)

TX USA The file number, if any, is 801421123

State

Country

Texas Secretary of State file number

Its principal place of business is 1437 E Street Jourdanton TX

Address

City

State

☐ The organization will survive the merger. ☒ The organization will not survive the merger.

☐ The plan of merger amends the name of the organization. The new name is set forth below.

Name as Amended

Party 2

Mesa Southern CWS Acquisition, LP

Name of Organization

The organization is a limited partnership It is organized under the laws of

Specify organizational form (e.g., for-profit corporation)

TX USA The file number, if any, is 80144568783

State

Country

Texas Secretary of State file number

Its principal place of business is 1437 E Street Jourdanton TX

Address

City

State

☒ The organization will survive the merger. ☐ The organization will not survive the merger.

☐ The plan of merger amends the name of the organization. The new name is set forth below.

Name as Amended

Party 3

Name of Organization

The organization is a _____ It is organized under the laws of _____

Specify organizational form (e.g., for-profit corporation)

_____ The file number, if any, is _____
State Country Texas Secretary of State file number
 Its principal place of business is _____
Address City State
☐ The organization will survive the merger. ☐ The organization will not survive the merger.
☐ The plan of merger amends the name of the organization. The new name is set forth below.

Name as Amended

Plan of Merger

☐ The plan of merger is attached.

If the plan of merger is not attached, the following statements must be completed.

Alternative Statements

In lieu of providing the plan of merger, each domestic filing entity certifies that:

1. A signed plan of merger is on file at the principal place of business of each surviving, acquiring, or new domestic entity or non-code organization that is named in this form as a party to the merger or an organization created by the merger.
2. On written request, a copy of the plan of merger will be furnished without cost by each surviving, acquiring, or new domestic entity or non-code organization to any owner or member of any domestic entity that is a party to or created by the plan of merger and, if the certificate of merger identifies multiple surviving domestic entities or non-code organizations, to any creditor or obligee of the parties to the merger at the time of the merger if a liability or obligation is then outstanding.

Complete item 3B if the merger effected changes to the certificate of formation of a surviving filing entity.

3A. No amendments to the certificate of formation of any surviving filing entity that is a party to the merger are effected by the merger.

3B. ☐ The plan of merger effected changes or amendments to the certificate of formation of:

Name of filing entity effecting amendments

The changes or amendments to the filing entity's certificate of formation, other than the name change noted previously, are stated below.

Amendment Text Area

4. Organizations Created by Merger

The name, jurisdiction of organization, principal place of business address, and entity description of each entity or other organization to be created pursuant to the plan of merger are set forth below. The certificate of formation of each new domestic filing entity to be created is being filed with this certificate of merger.

Name of New Organization 1	Jurisdiction	Entity Type (See instructions)
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Principal Place of Business Address	City	State	Zip Code
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Name of New Organization 2	Jurisdiction	Entity Type (See instructions)
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Principal Place of Business Address	City	State	Zip Code
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Name of New Organization 3	Jurisdiction	Entity Type (See instructions)
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Principal Place of Business Address	City	State	Zip
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Approval of the Plan of Merger

The plan of merger has been approved as required by the laws of the jurisdiction of formation of each organization that is a party to the merger and by the governing documents of those organizations.

☐ The approval of the owners or members of _____
Name of domestic entity
 was not required by the provisions of the BOC.

Effectiveness of Filing (Select either A, B, or C.)

A. ☐ This document becomes effective when the document is accepted and filed by the secretary of state.

B. ☒ This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: May 31, 2014

C. ☐ This document takes effect on the occurrence of the future event or fact, other than the passage of time. The 90th day after the date of signing is: _____

The following event or fact will cause the document to take effect in the manner described below:

Tax Certificate

☐ Attached hereto is a certificate from the comptroller of public accounts that all taxes under title 2, Tax Code, have been paid by the non-surviving filing entity.

☒ In lieu of providing the tax certificate, one or more of the surviving, acquiring or newly created organizations will be liable for the payment of the required franchise taxes.

Execution

The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument. The undersigned certifies that the statements contained herein are true and correct, and that the person signing is authorized under the provisions of the Business Organizations Code, or other law applicable to and governing the merging entity, to execute the filing instrument.

Date: May 21, 2014

Mesa Southern Well Servicing, LP

Merging Entity Name

Signature of authorized person (see instructions)

James D. Finley, President of Mesa SWS GP, LLC,

Printed or typed name of authorized person its general partner

Mesa Southern CWS Acquisition, LP

Merging Entity Name

Signature of authorized person (see instructions)

James D. Finley, President of MSCWS, LLC,

Printed or typed name of authorized person its general partner

Merging Entity Name

Signature of authorized person (see instructions)

Printed or typed name of authorized person

Exhibit A-9

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

MLB CONSULTING, LLC

Plaintiff,

v.

**SUNDANCE ENERGY, INC. D/B/A SEA
EAGLE FORD, LLC AND MESA
SOUTHERN WELL SERVICING, LP,**

Defendants.

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CIVIL ACTION NO. 2:17-CV-0169

**DEFENDANT MESA SOUTHERN WELL SERVICING, LP'S
CONSENT TO REMOVAL**

Defendant Mesa Southern Well Servicing, LP consents to the removal of the action styled *MLB Consulting, LLC v. Sundance Energy, Inc. d/b/a Sea Eagle Ford, LLC and Mesa Southern Well Servicing, LP*, Cause No. 17-03-56979-CV, from the 79th Judicial District Court of Jim Wells County, Texas, to this Court.

Respectfully submitted,

/s/ Brian L. Blakeley

Brian L. Blakeley
State Bar No. 029428900
BLAKELEY LAW FIRM
503 Avenue A, Suite 1121
San Antonio, Texas 78215
(210) 860-1438 (Telephone)
brian@blakeleylawfirm.com

**ATTORNEYS FOR DEFENDANT
MESA WELL SERVICING, L.P.**